

Amendment in Reply to Final Office Action of July 19, 2004

REMARKS

Reconsideration of the present application, as amended, is respectfully requested.

In the Final Office Action, claims 1-3, 9-11, 13, 15, 17, 19, 21 and 23-26 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. 6,078,879 (taori). Further, claims 4, 5, 12, 14, 16, 18 and 22 were rejected under 35 U.S.C. §103(a) as being unpatentable over taori in view of U.S. 5,647,005 (Wang). In addition, claims 6-8 were rejected under 35 U.S.C. §103(a) as being unpatentable over taori in view of Wang and further in view of Sluijter ("a Time Warper for Speech Signals," Proceedings of IEEE Workshop on Speech Coding Proceedings. Model, Coders, and Error Criteria, Porvoo, Finland, 20-23, June 1999, pages 150-152).

Applicants respectfully traverse these rejections, however claims 2 and 10 have been canceled without prejudice, and claims 1, 9, 13, 15, 17, 19, 21 and 25 have been amended. It is respectfully submitted that claims 1-26 are patentable over Taori, Wang and Sluijter for at least the following reasons, where also the prior arguments made in previously filed Amendments are incorporated herein by reference.

As correctly noted by the Examiner throughout the Final Office

Action, Taori does "not specifically disclose a frequency change used by said decoder for deriving said reconstructed audio signal." (See first paragraph, page 3 of the Final Office Action).

According to the Examiner, this is obvious since the purpose of a decoder is to reconstruct the audio signal using the same parameters used by the encoder.

It is respectfully submitted that there are many ways to encode and decode a signal. The present invention is related to a specific coding and encoding where a further signal representing the frequency change is transmitted to the receiver or decoder which derives the reconstructed audio from this further signal representing the frequency change, as recited in independent claims 1, 9, 13, 15, 17, 19, 21 and 25.

Taori does not teach or suggest such a signal, let alone transmitting such a signal. No such frequency change signal is shown or suggested from the signals exchanged between the Taori encoder of FIG 2 and decoder of FIG 7. Rather, as seen from FIGs 2 and 7, the encoder of Taori transmits to the decoder LPC codes, gain, and refined pitch. There is simply no teaching or suggestion of transmitting a frequency change signal to be used by a decoder for deriving the audio signal, as recited in independent claims 1,

9, 13, 15, 17, 19, 21 and 25.

The signals provided by the Taori encoder 4 (FIG 2) to the decoder 14 (FIG 7), namely, the representations of the voiced and unvoiced speech signals, which representations are the gain and LPC codes for both the voiced and unvoiced speech signals, as well as the refined pitch for the voiced speech signal, do not include transmitting a frequency change signal to be used by the decoder for deriving the audio signal, as recited in independent claims 1, 9, 13, 15, 17, 19, 21 and 25.

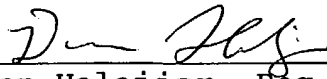
Wang and Sluijter are cited to show compression/expansion of the audio signal, and selection of highest peak in the autocorrelation function, and do not remedy the deficiencies in Taori. Accordingly, it is respectfully submitted that independent claims 1, 9, 13, 15, 17, 19 and 21 be allowed. In addition, as claims 2-8, 10-12, 14, 16, 18, 20 and 22-26 depend from independent claims 1, 9, 13, 15, 17, 19 and 21, applicants respectfully request that claims 2-8, 10-12, 14, 16, 18, 20 and 22-26 also be allowed over the prior art of record.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

If any informalities remain, the Examiner is requested to telephone the undersigned in order to expedite allowance.

Please charge any fee deficiencies and credit any overpayments to Deposit Account No. 14-1270.

Respectfully submitted,

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